UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/533,152	03/23/2000	Michael J. Coar	2610-001	1127

7590 03/24/2005	**EXAMINER**
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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/533,152	COAR, MICHAEL J.
	Examiner	Art Unit
	Matthew J. Ludwig	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications. RCE filed 2/14/05.

2.   Claims 1-20 are pending in the application. Claims 1, 7, and 13, are independent

claims.

3.   Claims 1-16, and 18-20 rejected under 35 U.S.C. 102(e) as being anticipated by

Durst et al. have been withdrawn pursuant to the Applicant's argument.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Durst et al., USPN 6,108,656 filed (5/11/1999).

Regarding independent claim 1, Figs. 1 and 2 of Durst et al. disclose a method

for the creation of an electronic container comprising: Creating an electronic version

([Optional] Text & Graphics) of at least one object (TEXT [16]); creating a graphical

code (machine-readable code [12]) representing information about the at least one object

(Col. 4 lines 54 - 56); associating the graphical code to the at least one object (Col. 4 lines

56 - 57); assigning a transaction identifier (Col. 4 lines 61 - 65, *disclosing transaction [to*

load] identifier [WWW]) included in the machine-readable code, Col. 4 lines 65-67) to

the at least one object; and storing (server [46]) the at least one object with other objects

having the same transaction identifier ([50] *is the file storage location for objects [16]),*

with other objects [52] having the same transaction identifier (See fig. 2[23], See Col. 5

lines 62 - 67, disclosing demographics information 52 of user having same transaction[

to load] identifier [WWW]).

The phrase, 'graphical code' presented in within the limitations of the claim fails

to provide the Examiner with an adequate description of the type of code involved.

Without a proficient description of the graphical code, the limitation fails to preclude the

Examiner from utilizing the machine readable code within the bar code to associate the

object with the business transaction. Because the claim limitations are to be given their

broadest reasonable interpretation within the scope of the art, the code of Durst provides

a reasonable interpretation of the claim. Furthermore, the file server, which retrieves files

for presentation and editing by the user, provides the ability to retrieve multiple

documents related to one specific type of code. This method provides the ability to

maintain a file in a similar fashion to a container. It would have been obvious to one

ordinary skill in the art at the time the invention was made to modify the files utilized in

the Durst reference to act as a container to provide a vendor the opportunity to distribute

intelligent documents on a mass scale.

Regarding dependent claim 2, Durst et al. discloses the graphical code [12]

comprises unique index information about the at least one object (Col. 4 lines 65 – 67,

disclosing the data string 20 of the object which is encoded in the bar code 12, and Fig. 2

[20] disclosing a unit index information [21, 22, ...26] about of the file location of object

16, and 18).

Regarding dependent claim 3, Figs. 1 and 2, Col. 4 lines 65 - 67 of Durst et al.

discloses the graphical code [12] comprises coordinate location [21] relating to fields

(Field 1, Field 2, Field 3 …Field 6) within the object .

Regarding dependent claim 4, Col. 4 lines 65 - 67 of Durst et al. discloses the

graphical code (12) comprises routing information (Col. 5 lines 1 - 3).

Regarding dependent claim 5, Fig. 2 [12] discloses the graphical code

comprises at least a one dimensional code (Col. 5 lines 9-11 and 36).

Regarding dependent claim 6, Durst et al. discloses further comprising binding

(Fig. 2 [21 - 26]) the at least one object (*21 is the file location of the at least 1 object 16,*

18) to other objects (22 - 26) wherein the graphical code [12] comprises binding

information (*Fig. 2, launch, user demographics…etc*) that relates to one object and each

of the other objects to each other. (Col. 4 lines 60 – Col. 5 line 5).

Regarding independent claim 7, Figs.1 and 2 of Durst et al. disclose a system

for the creation of an electronic container comprising: at least one object containing

information [16, 18]; a workstation [14] for inputting data about the at least one object

[16, 18]; a graphical code creator ([29] of Fig. 2); connected to the workstation (*Fig. 2 is*

a workstation document generator [14] of Fig. 1) for crating a graphical code comprising

the data [12]; an electronic record creator [12] connected to the scanner [34] for creating

a composite electronic record [10] comprising the at least one object and graphic code

(see column 4 lines 54-57); and a container creator [20] for associating the at least one

object [16, 18] with other objects [22 - 26] and for assigning a transaction identifier (*Col.*

4 lines 61 - 65, disclosing transaction [to load] with identifier [WWW]) to the at least

one object [16, 18].

Regarding dependent claim 8, Figure 2 of of Durst et al. disclose the graphical

code [12] comprises data concerning the at least one object (*Fig. 2 [20] disclosing data*

string files location [21] of data concerning the objects [16, 18]).

Regarding dependent claim 9, Figure 2 [21 - 26] discloses the data comprises

unique index data (Fig. 2 [20]) concerning the at least one object.

Regarding dependent claim 10, Fig. 2 of Dust discloses the data comprises

coordinate location of fields (field 1 . . . . . field 6, [21-26]) within the at least one object.

Regarding dependent claim 11, Fig. 6, Step 208 – 216, of system Fig. 1 of Durst

et al. further disclose instructions for viewing the at least one object, the unique index

data (Fig. 2 [21 – 26] of unit index data string [20]) and supplemental data concerning the

at least one object in a viewer (see Col. 5 line 62 – Col. 6 line 4).

Regarding dependent claim 12, Fig. 3 of Durst et al. discloses the container creator

further comprises instructions for retrieving (*fig. 6 step 208 - 216 discloses instruction for*

retrieving) and manipulating the at least one object (Fig. 3 [10]) using the same application

that created the at least one object (Fig. 2 [10]).

Regarding to independent claim 13, Figs. 3 and 6 of Durst et al. discloses a

method for managing workflow within an organization (Col. 6 lines 26 - 27) comprising:

receiver an electronic container [10] comprising one or more objects (Text and car image

of [10]) associated with a task (barcode [12]) and routing information associated with

each of the one or more objects (Col. 4 lines 60 - Col. 5 line 5); routing each of the one or

more objects to a recipient designated in the routing information for processing (Fig. 6

Step 214); and receiving from each designated recipient one or more processed objects

(Fig. 6 step 216).

Regarding to dependent claim 14, Fig. 3 of Durst further disclose wherein receiving

an electronic container [10] comprising one or more objects [Text, Car Image of 10]

associated with a task [12] comprises receiving one or more objects [Text, Car Image] selected

from the group consisting of an image [Car Image], a document [TEXT], a database, a

computer generated file, and an electronic data interchange file (Fig. 3 [10]).

Regarding to dependent claim 15, Durst further discloses wherein receiving an

electronic container comprising routing information associated with each of the one or

more objects comprises receiving for each of the one or more objects a graphical code

comprising the routing information (Col. 4 line 61 – Col. 5 line 5).

Regarding to dependent claim 16, Durst further discloses the method of

managing workflow within an organization (Col. 6 lines 34 – 35), wherein the method

further comprises receiving for at least one of the one or more objects index information

(See Fig. 3 of Durst disclosing a receiving system by scanning a barcode [12], and

receiving in the index information [21, file location], [22, Source ID], [23, User

demographics] which encoded in the bar code 12, [see Col. 4 lines 65 – 67, and Fig. 2

data string 20 for disclosing index information encode in the barcode) .

Regarding to dependent claim 18, Fig. 3 of Durst further discloses the method

of managing workflow within an organization (Col. 6 lines 34 – 35), wherein the method

further comprises: receiving a graphical code (Fig. 3 [12]) indicative of an organization

structure of the electronic container (Col. 4 lines 61 – Col. 5 line 4).

Regarding to dependent claim 19, Fig. 3 of Durst further wherein

receiving a graphical code indicative of an organization structure of the electronic

container comprises: receiving rules directed to determining order to the objects

within the container (See Figs. 8, 9 and 10, starting from step 208 of Fig. 8 to

step of 272 of Fig. 10) for disclosing the order and of determining rules and

process to transmitting the file of the object from the storage of the sever to the

client computer).

Regarding to dependent claim 20, Fig. 3 of Durst discloses wherein receiving a

graphical code [12] indicative of an organizational structure of the electronic container

(Col. 4 lines 61 – Col. 5 line 4) comprises receiving rules directed to determining whether

the electronic container comprises all of the objects associated with the task (see Figs. 8,

9 and 10, starting from step 208 of Fig. 8 to step of 272 of Fig. 10 for rules directed to

determining whether the electronic container comprises all of the objects associated with

the task (See Fig. 3 of Durst disclosing a receiving system by scanning a barcode 12, and

receiving in the index information [21, file location], [22, Source ID], [23,User

demographics] which encoded in the bar code 12, [see Col. 4 lines 65 – 67, and Fig. 2

data string 20 for disclosing index information encode in the barcode 12).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Durst**

et al. as applied to claim 16 above, and further in view of Howell et al. U.S. Patent

No. 6,215,992.

Durst et al., The object index 20 of Fig. 2 indicative of the a field value, a field

name, a field type [Field 1, Field 2, Field ... Field 6] and a checksum value [62] of Fig. 2

of Durst et al. as applied to claim 16 above, disclosed every aspect of applicant's claimed

invention except for a length value. Therefore, Durst fails to explicitly state the object

index in relation to a length value when interpreted within the organizational structure of

the electronic container.

Howell et al. Col. 11 lines 14 – 18, disclosing a barcode system with a length

packet value includes in the checksum.

Both Durst et al. and Howell et al. are relating to barcode system. Therefore it

would have been obvious to one having ordinary skill in the art at the time the invention

was made to modified the check sum of Durst et al.'s barcode with the check sum of

Howell et al. for the purpose of providing error identification checksum for the packet

length (Col. 11 lines 16 – 17).

Response to Arguments

8.   Applicant's arguments filed 2/14/05 have been fully and carefully considered but

they are not persuasive.

Applicant argues on page 2-4 of the amendment that the examination of the

claims fail to give full appreciation of the meaning ascribed to the terms used in the

claims by the written description. The Examiner points out that the term '*object*', is

utilized throughout the computer arts and describes numerous meanings and functions

within a web environment. Furthermore, the term '*graphical code*', mentioned with

independent claim 1, could be interpreted in many different ways and provides many

different employments when interpreted as a whole within the claim language. Durst

provides the teaching of physically associating text/graphics with a barcode. Because the
independent claim fails to disclose how the type of association is made or what type of
association is being made between the graphical code and the object, the Durst reference
provides a proficient interpretation of the claimed features. Because the claim limitations
are to be given their broadest reasonable interpretation within the scope of the art, the
barcode methods of Durst provide a reasonable interpretation of the graphical code and
the associations necessary to complete a business transaction, which could simply be the
printing of a document.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-
4127. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Stephen Hong can be reached on 571-272-4124.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR. Status
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more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

ML
March 11, 2005

STEPHEN HONG
SUPERVISORY PATENT EXAMINER